

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: TERADA et al. Examiner: Brase, S.
Patent No. 6,021,303 Group Art Unit: 2852
Serial No.: Unknown
Original Serial No: 09/309,922
Issued: February 1, 2000 Docket No.: 10873.403USRE
Filed: February 1, 2002
Originally Filed: May 11, 1999
Title: IMAGE HEATING DEVICE AND IMAGE FORMING DEVICE USING
THE SAME

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number EV 036305018 US

Date of Deposit: February 1, 2002

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By:

Name: Chris Stordahl

**Reissue Application Request, Preliminary Amendment and
Offer to Surrender Original Patent**

BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Filed herewith is an application for reissue of US Patent No. 6,021,303 in the name of inventors Hiroshi TERADA, Akinori TOYODA, Yoshihito URATA, Hajime YAMAMOTO, Nobuo GENJI, Naoaki ISHIMARU, Tatsuo NAKATSUGAWA, and Masakazu NAITO. The assignees, each acquiring one half right, title and interest in issued patent, are Matsushita Electric Industrial Co., Ltd. and Matsushita Graphic Communication Systems, Inc., by virtue of assignment recorded at Reel 010139, Frame 0355. The filing of the Reissue Declaration and the Consent of Assignees are deferred.

This reissue application is filed because it has been discovered that the above patent may be partially inoperative for failing to claim all that the inventors were entitled to

claim. For example, the granted (and originally-filed) claims may not provide specific protection for the aspects of the invention disclosed at Col. 21, line 50 - Col. 22, line 25 and Col. 23, lines 5-45. The new claims presented below are intended to address this issue.

Preliminary Amendment

Please add the following new claims:

35. (New) An image heating device comprising:

a heat-generating member comprising a magnetic layer;

a magnetization member for magnetizing said heat-generating member with an alternating magnetic field, which is arranged in opposition to said heat-generating member;

a nip portion for heating a recording material that carries a toner image with heat from said heat-generating member; while the recording material is being conveyed along said nip portion;

wherein the nip portion is formed by a movable film contacting said heat-generating member; and a pressure member for pressing against said film.

36. (New) The image heating device of claim 35, wherein said heat-generating member contacts a rear surface of said film.

37. (New) The image heating device of claim 35, wherein said heat-generating member contacts the rear surface of said film from a position upstream of said nip portion to a vicinity of said nip portion, and said magnetization member is provided at the position upstream of said nip portion.

38. (New) The image heating device of claim 35, wherein said heat-generating member is provided on the rear side of said film and contacts a portion of said film, and said magnetization member is provided on a surface side of said film.

39. (New) The image heating device of claim 35, wherein the pressure member comprises a roller with low thermal conductivity provided on the rear surface side of said film and a pressure roller provided on the front surface side of said film.

40. (New) The image heating device of claim 35, wherein said heat-generating member comprises a rotatable roller.

Original granted claims 1-34 remain unamended and new claims 35-40 are added.

Claim 35 is supported, for example, at Col. 21, lines 61-65, Col. 22, lines 15-25, and Col. 23, lines 37-45. Claims 36-40 generally correspond to the original granted claims 12-16 and round out the scope of protection.

Offer to Surrender

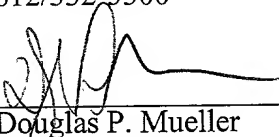
The assignees, through the undersigned attorney of record, hereby offer the surrender of the original U.S. Patent No. 6,021,303.

Respectfully submitted,

MERCHANT & GOULD
PO BOX 2903
Minneapolis, MN 55402
612/332-5300

Date: February 1, 2002

By: _____


Douglas P. Mueller
Reg. No. 30,300
DPM/tvm